IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE M.N.KRISHNAN

THURSDAY, THE 28TH JUNE 2007 / 7TH ASHADHA 1929

WP(C).No. 15680 of 2007(N)

AGAINST THE ORDER DATED 30/03/2007 IN IA. 449 /2007 IN OS.407/2006 of ADDL.MUNSIFF, KASARAGOD

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PETITIONER:

SADANANDA SHETTY, S/O.VISHWANATHA SHETTY, MEENJA KANYANA OF PAIVALIKE VILLAGE, KASARAGOD TALUK & DISTRICT.

BY ADV. SRI.T.B.SHAJIMON
SMT.GOVINDU P.RENUKADEVI

RESPONDENTS:

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1. BALAKRISHNA SHETTY.K.,

2. SMT.ABBAKKE, NO.1 IS THE S/O.NARAYANA SHETTY AND NO.2 IS THE W/O.NARAYANA SHETTY, BOTH ARE RESIDING AT MEENJA KANYANA OF PAIVALIKE VILLAGE, KASARAGOD TALUK & DISTRICT.

BY ADV. SRI.V.V.ASOKAN

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 28/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXTS:

EXT.P1: THE PHOTOSTAT COPY OF THE PETITION IN I.A.449/07 IN O.S.407/06

EXT.P2: -DO- OF THE PLAINT IN O.S.407/06

EXT.P3: -DO- OF THE WRITTEN STATEMENT IN O.S.407/06

EXT.P4: -DO- OF THE IMPUGNED ORDER IN I.A.449/07 IN O.S.407/06

EXT.P5: -DO- OF THE ARGUMENT NOTE FILED IN I.A.449/07 IN O.S.407/06

jj /TRUE COPY/

P.A. TO JUDGE

M.N.KRISHNAN, J.

WP(C)No. 15680 OF 2007 N

Dated this the 28th June, 2007.

JUDGMENT

Respondents enter appearance. It is submitted that against the very same order Ext.P4 C.M.A.18/07 is pending before the District Court, Kasaragode. Without prejudice to the right of the petitioner to proceed with C.M.A.18/07 this writ petition is dismissed.

M.N.KRISHNAN
Judge

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